

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

KERRI CRAGHEAD, Individually and as
Personal Representative of the Wrongful
Death Estate of ROGER DERICK CRAGHEAD,
deceased,

Plaintiff,

v.

No. 1:22-cv-00931-KWR-SCY

DEE KING TRUCKING, LP and
MICHAEL COLE,

Defendants.

ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDATION

THIS MATTER is before the Court on Magistrate Judge Steven C. Yarbrough's December 23, 2022, Proposed Findings And Recommended Disposition ("PFRD"). Doc. 9. In that PFRD, Judge Yarbrough recommends that the Court dismiss Plaintiff's amended complaint without prejudice for lack of jurisdiction. *Id.* at 3. Judge Yarbrough notified the parties that they had 14 days from service of the PFRD to file any objections to the PFRD. *Id.* The parties have not filed any objections to the PFRD, thereby waiving their right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the PFRD, the Court concurs with Judge Yarbrough's findings and recommendation.

IT IS THEREFORE ORDERED THAT:

1. The Court **ADOPTS** Judge Yarbrough's Proposed Findings and Recommended Disposition, Doc. 9.
2. Plaintiff's amended complaint is **DISMISSED WITHOUT PREJUDICE**.
3. A final order is **ENTERED** concurrently herewith.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE